

PATENT APPLICATION

042390.P12397

Request for extension of time under 37 C.F.R. §1.136

Assignee herewith petitions the Director of the United States Patent and Trademark Office to extend the time for response to the Office Action dated November 29, 2002 for 3 month(s) from February 28, 2003 to May 29, 2003

Please charge Deposit Account #02-2666 in the amount of:

_____	(\$110.00 for a one month extension)
_____	(\$400.00 for a two month extension)
____X____	(\$930.00 for a three month extension)
_____	(\$1,440.00 for a four month extension)

to cover the cost of the extension.

Remarks

Reexamination and reconsideration of this application, as amended, is requested. Claims 1-14 remain in the application. Claims 15-21 have been cancelled. Please note that claim numbers 13 and 14 were inadvertently duplicated. The two duplicates have been cancelled as indicated above.

Title

The Office Action objected to the title and requested that the title be amended. Applicants have amended the title of the Application so as to adopt the title suggested by the Examiner.

Restriction Requirement

Applicants acknowledge that the Office Action has made the previous requirement for restriction final. As indicated above, Applicants have canceled the claims directed to the non-elected invention.

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Response to the 35 U.S.C. §112, Second Paragraph, Rejection

The Office Action rejects claim 1 under 35 U.S.C. §112, second paragraph, as failing to set forth the subject matter which Applicants regard as the invention. In particular, the Office Action stated there is no antecedent basis for "first surface" or "second surface."

However, Applicants would like to kindly point out that claim 1 recites, among other things, "a substrate having a first surface and a second surface." (emphasis added)

Applicants believe this recital provides antecedent basis for the recital of "a memory array mounted to the first surface of the substrate" and "a passive component mounted to the second surface of the substrate." Accordingly Applicants respectfully request reconsideration of this rejection.

Response to the 35 U.S.C. §102(b) Rejection

The Office Action also rejects claims 1-14 under 35 U.S.C. §102(b/e) or §103(a) as being anticipated by Berney (US 5,703,395), Fukuoka (US 5,818,699), or Palmer (US 6,008,988). Applicants respectfully traverse this rejection in view of the remarks that follow.

Applicants begin with the rejection of claim 1 with respect to Berney

As is well-established, in order to successfully assert a *prima facie* case of anticipation, the Office Action must provide a single prior art document that includes every element and limitation of the claim or claims being rejected. Therefore, if even one element or limitation is missing from the cited document, the Office Action has not succeeded in making a *prima facie* case.

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Applicants begin with claim 1. Claim 1 specifically recites:

"1. A non-volatile memory package comprising:

a substrate having a first surface and a second surface;

an integrated circuit die including a memory array mounted to the first surface of the substrate; and

a passive component mounted to the second surface of the substrate."

It is respectfully asserted that, as one example, Berney fails to meet either expressly or inherently the limitation that a passive component is mounted to a second surface of the substrate.

Applicant would like to kindly point out that Berney states at column 5, lines 35-41, that elements 2 and 20 (shown in figure 2) are integrated memory circuits. In addition, Berney goes on to state at column 5, lines 58-60, that both of the integrated memory circuits 2 and 20 are connected to the peripheral contacts 700 and 7000 which are the power supply connections which thus go to both integrated memory circuits 2 and 20.

In contrast, Applicants claim 1 recites an integrated circuit on one surface of a substrate and a passive component on another surface. Although Applicant's invention is not limited in this respect, Applicant's specification gave some examples of passive components on page 5, lines 2-7, which include capacitors, inductors, resistive elements, etc. As explained at page 6, lines 11-21, the passive components may be used to provide at least a portion of the voltage regulation circuitry used to program and/or erase the memory array.

Accordingly, Applicants respectfully submit that Berney cannot anticipate Applicants claim 1 since it does not, at a minimum, teach or suggest passive

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components on a second surface. Since claims 2-14 depend from claim 1, they are not anticipated for at least the same reason.

The Office Action also rejects claim 1 based on Fukuoka. The Office Action refers to Fukuoka as having patent number US 5,818,699 (see page 5 line 2 of the Office Action). However, Applicants are unable to find a patent listed on the Notice of References Cited with this particular patent number. Instead, Applicants believe the Office Action meant to refer to Fukuoka as US 5,949,654 and will proceed accordingly. If this is not correct, Applicants respectfully request clarification.

With respect to Fukuoka (US 5,949,654) Applicants would like to kindly point out that elements 202a and 202b (see figure 8) are mounted on the same surface of substrate 101. In contrast, Applicants would like to point out that claim 1 recites that the memory array and the passive component are on different surfaces of the substrate. Accordingly, Applicants respectfully submit that Fukuoka cannot anticipate Applicants claim 1, or the claims that depend from claim 1 for at least this reason.

With respect to Palmer (US 6,008,988) Applicants would like to kindly point out that electronic devices 18 and 20 (see figure 1) are mounted on the same surface of package 12. In contrast, Applicants would like to point out that claim 1 recites that the memory array and the passive component are on different surfaces of the substrate. Accordingly, Applicants respectfully submit that Palmer cannot anticipate Applicants claim 1, or the claims that depend from claim 1 for at least this reason.

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C nclusion

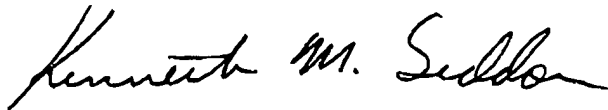
The foregoing is submitted as a full and complete response to the Office Action mailed November 29, 2002, and it is submitted that claims 1-14 are in condition for allowance. Reconsideration of the rejection is requested. Allowance of claims 1-14 is earnestly solicited.

Should it be determined that an additional fee is due under 37 CFR §§1.6 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #02-2666.

If the Examiner believes that there are any informalities which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (480) 554-9732 is respectfully solicited.

Respectfully submitted,

Eleanor P. Rabadam et al.



Kenneth M. Seddon
Senior Patent Attorney
Reg. No. 43,105

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c/o Blakely, Sokoloff, Taylor & Zafman, LLP
12400 Wilshire Blvd., Seventh Floor
Los Angeles, CA 90025-1026
(503) 264-0967